

TRANSLATION

(excerpt)

Twenty-ninth Corona Control Ordinance Rhineland-Palatinate (30th CoBeLVO) of 28 January 2022

Based on § 32 sentence 1 in connection with § 28 para. 1 sentence 1 and 2, § 28a para. 7 and § 29, § 30 para. 1 sentence 2 of the Infection Prevention and Control Act of 20 July 2000 (Federal Law Gazette, Part I page 1045) as amended by Article 1 and 2 of the Act, dated 10 December 2021 (Federal Law Gazette, Part I page 5162), in conjunction with § 1 No. 1 of the State Ordinance on the Implementation of the Infection Prevention and Control Act of 10 March 2010 (State Law/Regulations Gazette page 55), as amended by § 7 of the Act, dated 15 October 2012 (State Law/Regulations Gazette page 341), BS 2126-10, it is decreed:

Part 1

Purpose, General Protective Measures

§ 1

Purpose

This Ordinance regulates necessary protective measures to prevent the spread and to contain the Coronavirus SARS-CoV-2, insofar as no deviating regulations have been issued on the basis of § 28 b of the Infection Prevention and Control Act (IfSG) and § 28 c IfSG by the Federal Government. The regulations in this Ordinance are based on the assessment of the current development of the burden and strain on the health care system in Rhineland-Palatinate. The benchmarks for this are the statewide seven-day hospitalization incidence pursuant to § 2 and the occurrence of a virus variant classified as a cause for concern by the Robert Koch Institute. The necessity of current and further measures is reviewed again at least every four weeks.

§ 2

Statewide seven-day hospitalization incidence rate

(1) The statewide seven-day hospitalization incidence is determined by the number of newly admitted hospitalization cases with COVID-19 disease per 100,000 inhabitants within the last seven days in relation to the State of Rhineland-Palatinate. A hospitalization case is any person who is admitted to a hospital for inpatient treatment on account of COVID-19 disease.

(2) The daily updated value of the statewide seven-day hospitalization incidence is published on the website of the Rhineland-Palatinate State Investigation Office (www.lua.rlp.de).

§ 3

General Protective Measures, Definitions

(1) In the cases specified in this ordinance, where reference is made to this ordinance, a minimum distance of 1.5 meters between persons shall be maintained (**distance requirement**).

(2) A medical face mask (OP surgical mask) or a FFP2 mask or a comparable standard shall be worn in enclosed rooms, which are accessible to the public or in the context of visiting or customer traffic, unless otherwise specified in this Ordinance. Otherwise, a medical face mask (OP surgical mask) or FFP2 mask or a comparable standard shall be worn. FFP2 or a comparable standard has be worn, insofar as this is stipulated in this Ordinance (**mask requirement**).

(3) The distance requirement and the mask requirement do not apply to

1. children up to the age of six are exempt.
2. persons for whom wearing a cover over mouth and nose is impossible or unreasonable due to a disability or for health-related reasons; this has to be verified by a medical certificate.
3. communication with persons with a hearing or visual impairment or for identification purposes or in connection with the performance of judicial tasks as long as it is necessary,
4. employees of facilities with regular customer or visitor traffic as long as there is no contact to customers or visitors.

(4) The proprietor of the facility or the initiator of an assembly or other gathering in enclosed rooms has to ensure contact traceability, where expressly required in this Ordinance. If contact details are provided to the person obliged to collect data, they must be truthful and allow for contact tracking (**contact recording**). Contact details, ensuring accessibility of the person (name, first name, address, telephone number) as well as the date and time of the person's presence, have to be recorded in compliance with data protection law. The person obligated to collect the data has to verify that the provided contact details are complete and whether they contain obviously incorrect information (**plausibility check**). Persons who refuse to provide their contact details or who provide obviously incorrect or incomplete information shall be excluded from visiting or using the facility or participating in an assembly or get-together by the proprietor of the facility or the initiator of an assembly or other gathering. Those obliged to collect data shall ensure that unauthorized persons do not become aware of the data collected. The data shall not be used for any purpose other than the delivery upon request to the competent health authority and shall be deleted four weeks after collection. Data retention obligations resulting from other laws remain unaffected. The person obligated to conduct the data collection is to offer generally a digital collection of the data referenced in sentence 2; in this case, the obligation to check plausibility pursuant to sentence 3 is waived, provided that the registration system used checks the specified telephone number (*e.g.*, by means of SMS verification). The data protection requirements (especially in the case of the external storage of data) and the complete data protection-compliant deletion of the data after four weeks must be ensured under that person's own responsibility. Additionally, upon request the data shall be made available at any time to the competent health authority free of charge, on request also paperbound, in a format usable by the agency. Persons who do not consent to digital data collection have to be offered in any case a paper-based data collection. The competent public health authority can demand information about the guests' contact details, insofar as it is necessary to fulfil its duties under the provisions of the Infection Prevention and Control Act (IfSG) and its tasks under this Ordinance; the data has to be released immediately. Data transmitted to the competent public health authority have to

be irreversibly deleted by the latter immediately as soon as the data is no longer required for fulfillment of its tasks. Even if contact registration is not mandated in this ordinance, the use of the QR code registration included in the Robert Koch Institute's Corona Warning app is strongly recommended for all persons attending gatherings or assemblies.

(5) In the cases specified in this Ordinance, in which this provision is referenced, the proof for absence of an infection with SARS CoV-2 provided for therein can be established by

1. by a vaccination certificate pursuant to § 2 No. 7 of the COVID-19 Exemption from Protective Measures Ordinance (SchAusnahmV) of 8 May 2021 (BANZ AT 08.05.2021 V1) as amended or

2. a test by means of nucleic acid detection (PCR, PoC-PCR or other methods of nucleic acid amplification technology) carried out no more than 48 hours ago

(obligation to test).

If the operator of a facility offers the possibility, a test pursuant to sentence 1 No. 7 letter a) SchAusnahmV is to be carried out by the visitor before entering the facility in the presence of a person appointed by the operator of the facility and only entitles to visit this facility. The operator of a facility shall only grant the visitor access to the facility upon presentation of a test certificate pursuant to sentence 1. In the cases of an obligation to test to sentence 1 specified in this Ordinance

1. it only applies to vaccinated or recovered persons if so stipulated in this Ordinance,
2. this does not apply to children up to three months after their twelfth birthday.

(6) A vaccinated person within the meaning of this Ordinance is, subject to the provision in paragraph 8, an asymptomatic person who is in possession of a vaccination certificate issued to him/her pursuant to § 2 No. 3 SchAusnahmV. A recovered person within the meaning of this Ordinance is, subject to the provision in paragraph 8, an asymptomatic person who is in possession of a certificate of recovery issued to him/her pursuant to § 2 No. 5 SchAusnahmV. Insofar as this Ordinance stipulates an obligation to test for vaccinated or recovered persons of full legal age, this shall only apply to such vaccinated or recovered persons who fall within the scope of § 6 para. 2 No. 1 SchAusnahmV.

(7) In the cases specified in this Ordinance in which the presentation of a test certificate proving the absence of the SARS-CoV-2 coronavirus is required, the test certificate has to be presented by persons who have reached the age of 16 years, together with a valid official photo ID issued to the person tested. This also applies to the presentation of a vaccination certificate pursuant to § 2 No. 3 SchAusnahmV or a recovered certificate pursuant to § 2 No. 5 SchAusnahmV.

(8) Where this Ordinance refers to **vaccinated or recovered persons**, this condition shall be deemed fulfilled for purposes of this Ordinance in case of

1. children up to three months after the completion of their twelfth year of life and

2. in the case of persons who cannot be vaccinated against the SARS-CoV-2 coronavirus for medical reasons, with the proviso that this has to be substantiated by a medical certificate which must at least clearly show the basis on which the medical diagnosis was made and who have a test certificate pursuant to § 3 para. 5 sentence 1.

(9) For the purposes of this Ordinance, a **non-immunized person** is a person who is neither vaccinated nor recovered and is not treated as such under paragraph (8).

(10) Insofar as the distance requirement pursuant to § 3 para. 1, the mask requirement pursuant to § 3 para. 2 sentence 2, the contact recording pursuant to § 3 para. 4 sentence 1 and the obligation to test pursuant to § 3 para. 5 sentence 1 are stipulated in this Ordinance or the participation in an offer or the use of or visit to facilities requires immunization, it shall be incumbent on the persons using the respective offers the compliance and the offering persons or institutions the compliance and control of these obligations.

(11) The hygiene concepts published on the website of the State government (www.corona.rlp.de) as amended shall be observed. If no hygiene concepts for individual facilities or measures are published on the website of the State government or the ministries responsible for the subject, the hygiene concepts of comparable facilities or circumstances shall apply accordingly.

(12) Exemptions from the provisions of paragraphs 1, 2, 4, 5 and 7 may be granted in justified individual cases upon application by the competent county administration, in county-free cities by the city administration as county regulatory authority, subject to conditions, insofar as the level of protection is comparable, this is justifiable from an epidemiological point of view, in particular taking into account the current incidence of infection, and the purpose of this Ordinance is not impaired.

Part 2

Assemblies, events and accumulation of persons

§ 4

Meetings and gatherings of persons.

(1) Non-immunized persons shall be in public areas only alone, with members of their own household and no more than two persons of another household, with vaccinated, recovered or equivalent persons being taken into account in determining the number of persons. Persons up to the age of 14 are not taken into account when determining the number of persons. The spouse, life partner or life companion not living in the same household shall also be counted as one household. The parent not living in the same household shall be permitted to continue to exercise his or her right to visitation. Where compelling personal reasons so require, in particular to ensure appropriate care for minors or persons in need of care, the presence of other persons is also permitted. The contact limitation stipulated in sentences 1 to 5 shall also apply insofar as reference is made to it in this Ordinance (**contact limitation**). Within the scope of the contact

limitation, the respective persons shall be exempt from compliance with the distance requirement, if so ordered by this Ordinance.

(2) Persons who have been vaccinated, have recovered, or are equivalent to such persons shall only be in public areas together with up to a maximum of ten persons. Persons up to the age of 14 are not taken into account when determining the number of persons.

(3) In the case of assemblies pursuant to Article 8 of the Basic Law [German Constitution], the distance requirement pursuant to § 3 para. 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 shall apply.

(4) At public elections and assemblies intended to serve the preparation and conduct of public elections, in particular constituency conferences and representative assemblies, the distance requirement pursuant to § 3 para. 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 apply.

(5) In the case of meetings of municipal bodies, the obligation to test pursuant to § 3 para. 5 sentence 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 shall apply. The mask requirement does not apply if persons take a seat while observing the distance requirement.

(6) Notwithstanding the right of the State Parliament (Landtag) to organize itself, the obligation to test pursuant to § 3 para. 1 sentence 1 shall apply to visitors to enclosed rooms in public administration establishments.

(7) In institutions serving the administration of justice (including notary offices and law offices) and at meetings of the administration of justice, the distance requirement pursuant to § 3 para. 1 applies in enclosed rooms, subject to § 3 para. 3, and, insofar as the rooms are accessible to the public or in the context of visitor or customer traffic, the mask requirement pursuant to § 3 para. 2 sentence 2 apply. For the buildings of the courts and public prosecutor's offices, the respective competent court or authority management may order that access is only permitted upon presentation of proof of testing pursuant to § 3 para. 5 sentence 1. The provisions of paragraphs 1, 2 and 6, of § 5 and of § 7, paragraph 2 shall not apply. Decisions based on the provisions of § 176 and § 180 of the Judicature Act and regulations based on the house-master's authority shall take precedence over sentences 1 to 3.

(8) In the case of assemblies for reasons relevant to examinations as well as for the implementation of selection procedures in degree programs with restricted admissions, the obligation to test pursuant to § 3 para. 5 sentence 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 applies. The mask requirement pursuant to § 3 para. 2 sentence 2 may be waived if the nature of the exam makes this necessary and it is not possible to wear the mask for this reason. Compliance with the obligation to test pursuant to sentence 1 shall be monitored on a random basis by means of suitable measures.

(9) In the case of gatherings of persons on the occasion of civil marriage ceremonies, the following shall apply:

1. the mask requirement pursuant to § 3 para. 2 sentence 2 for all persons present, with the exception of the spouses, and
2. indoors the obligation to test pursuant to § 3 para. 5 sentence 1.

The respective house master's authority remain unaffected.

(10) In the case of gatherings of persons on the occasion of funerals, the mask requirement pursuant to § 3 para. 2 sentence 2 shall apply in enclosed rooms.

(11) The mask requirement pursuant to § 3 para. 2 sentence 2 shall apply when blood donation appointments are held.

(12) At meetings of self-help groups, which

1. belong to a welfare association of the LIGA der Freien Wohlfahrtspflege in Rhineland-Palatinate e.V.,
2. are kept in the databases of the members of the LAG KISS,
3. are member organizations of the Landesarbeitsgemeinschaft Selbsthilfe Behinderter Rheinland-Pfalz e. V. or
4. are organizations of persons with disabilities pursuant to § 3 para. 5 of the Land Inclusion Act of 17 December 2020 (GVBl. p. 719, BS 87-1), as amended,

and serve to cope with a situation of psychological stress, to cope with one's own illness or the illness of a relative, apply

1. the mask requirement pursuant to § 3 para. 2 sentence 2, and
2. the obligation to test pursuant to § 3 para. 5 sentence 1.

§ 5 Events

(1) Events in enclosed rooms are only permitted with spectators or participants who have been vaccinated, have recovered or equivalent persons. Additionally, up to 25 minors who are not vaccinated, recovered or equivalent to such persons are also allowed to participate. The following apply:

1. the mask requirement pursuant to § 3 para. 2 sentence 2; the mask requirement does not apply to the consumption of food and beverages,
2. the obligation to test pursuant to § 3 para. 5 sentence 1; this also applies to vaccinated, recovered or equivalent persons of full age.

The obligation to test stipulated in sentence 3 No. 2 half-sentence 2 for vaccinated or recovered adult persons who are adults shall not apply if it is ensured that the mask requirement pursuant to sentence 3 No. 1 is complied with at all times. The organizer has to provide a hygiene concept that ensures compliance with the requirements in sentence 1 to 4.

(2) Notwithstanding paragraph 1, the opening of clubs, discotheques or similar establishments is prohibited.

(3) If, at outdoor events, spectators or participants take up fixed seats during the event and access is gained on the basis of an admission control or previously purchased tickets, only spectators or participants vaccinated, recovered or equivalent persons are permitted. In addition, minors who are not vaccinated, convalescent or equivalent persons are also allowed participate, provided they have proof of testing pursuant to § 3 para. 5 sentence 1. The mask requirement pursuant to § 3 para. 2 sentence 2 applies; the mask requirement does not apply to the consumption of food and beverages. The organizer has to provide a hygiene concept that ensures compliance with the requirements in sentence 1 to 3.

(4) At outdoor events not covered by paragraph 3, only persons who have been vaccinated, have recovered or are of equivalent status are allowed to be present. In addition, minors who are not vaccinated, recovered or equivalent to such persons are also allowed to participate. The mask requirement pursuant to § 3 para. 2 sentence 2 shall apply; the mask requirement does not apply to the consumption of food and beverages. The ordering of further protective measures for events in accordance with sentence 1 by the competent county administration, or in county-free cities by the city administration as the county regulatory authority, does not require the agreement in accordance with § 24 para. 1.

(5) The permissible number of spectators or participants shall amount to

1. in the case of events pursuant to paragraph 1, a maximum of 1,000 persons,

2. in the case of events pursuant to paragraph 3, a maximum of 1,000 persons or 20 percent of the available seating capacity, and

3. in the case of events pursuant to paragraph 4, a maximum of 1,000 persons or 20 percent of the maximum number of visitors otherwise customary there; the maximum number of visitors otherwise customary there shall be coordinated with the responsible county administration, in county-free cities with the city administration as county regulatory authority.

(6) The control of the hygiene concepts pursuant to paragraphs 1 and 2 shall be the responsibility of the competent county administration, in county-free cities by the city administration as county regulatory authority.

(7) Exemptions from the provisions of paragraphs 1 and 2 to 4 may be granted in individual cases upon application by the competent county administration, in county-free cities by the city administration as county regulatory authority in cooperation with the public health office, subject to conditions, insofar as the level of protection is comparable, this is justifiable from an epidemiological point of view, in particular taking into account the current incidence of infection, and the purpose of this Ordinance is not impaired.

Part 3 Worship

§ 6

- (1) The distance requirement pursuant to § 3 para. 1 and the obligation to test pursuant to § 3 para. 5 apply to events held in enclosed rooms of religious communities or congregations of faith, such as church services or meetings that are required for self-organization or legislation and events or lessons in preparation for communion, confirmation, or similar occasions. The distance requirement can be maintained by a free seat between each seat within a row and in front of and behind each seat.
- (2) In the case of events in enclosed rooms pursuant to paragraph 1, participants are subject to the mask requirement pursuant to § 3 para. 2 sentence 2. Excluded are clergypersons as well as lecturers, prayer leaders, cantors, pre-singers, and musicians subject to additional safety measures, specified in the infection protection concepts of the religious or faith communities.
- (3) Religious communities and congregations ensure that gatherings of persons in publicly accessible or reserved areas of the facility, which are used by a majority of persons, are avoided by controlling access.
- (4) Notwithstanding paragraph 1, events of religious communities or congregations of faith in enclosed rooms can also take place in accordance with the provisions of § 5 para. 1 sentences 1 to 4, with the proviso that the obligation to record contacts is governed by paragraph 3. Paragraph 2 sentence 2 shall apply accordingly.
- (5) If events of religious communities or congregations of faith according to paragraph 1 take place outdoors, the mask requirement pursuant to § 3 paragraph 2 sentence 2 shall apply. Paragraph 2 sentence 2 shall apply accordingly.
- (6) The religious communities or congregations of faith or their umbrella organizations create infection protection concepts that ensure compliance with the requirements in paragraphs 1 to 5.

Part 4 Economy

§ 7

Public and commercial facilities

- (1) Access to commercial facilities is only permitted to persons who have been vaccinated, have recovered or have the same status. In addition, minors who are not vaccinated, recovered or equivalent to such persons shall also have access, provided they have a test certificate pursuant to § 3 para. 5 sentence 1. The operators of the facilities shall monitor compliance with the obligations under sentences 1 and 2 by means of suitable measures on a random basis. In enclosed rooms, the distance requirement pursuant to § 3 para. 1 and the mask requirement

pursuant to § 3 para. 2 sentence 2 shall apply. In enclosed rooms, there are allowed no more than 1 customer per 10 square meters of customer accessible store size or part thereof. Sentences 1 and 3 do not apply to the following establishments or facilities for daily needs:

1. supermarkets, including direct marketing, beverage markets, sales stands at weekly markets, insofar as they offer food or goods for daily use,
2. pharmacies, medical supply stores,
3. drugstores, health food stores, baby specialty stores,
4. opticians, audiologists,
5. gas stations,
6. bookstores and places of newspaper sale,
7. florists, garden centers,
8. pet supply stores, feed stores and
9. wholesale.

(2) In public facilities, the distance requirement pursuant to § 3 para. 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 applies in enclosed rooms. In enclosed rooms, there are allowed no more than 1 visitor per 10 square meters of visitor accessible space or part thereof. In public facilities, visitors in enclosed rooms are also subject to the obligation to test pursuant to § 3 para. 5 sentence 1.

§ 8

Employment and operating sites, service and craft businesses

(1) In all workplaces and establishments and learning locations pursuant to § 5 para. 2 No. 6 Vocational Training Act (BBiG) of 4 May 2000 (BGB. I p. 920) as amended or § 26 para. 2 No. 6 Handcrafts Code (HwO) amended on 24 September 1998 (BGBl. I p. 3074; 2006 I p. 2095) as amended, as well as in the case of meetings in enclosed rooms for business, professional or official reasons, the mask requirement pursuant to § 3 para. 2 sentence 2 applies, unless otherwise specified in this ordinance. Sentence 1 does not apply if a fixed seat is taken. The provisions of § 28b para. 1 and 3 IfSG shall apply to entry into the facilities pursuant to sentence 1.

(2) For persons subject to the provisions of § 28b para. 1 and 2 IfSG because they are self-employed and do not have any employees, the obligation to test pursuant to § 3 para. 5 sentence 1, applies insofar as physical contact with third parties cannot be ruled out in the course of the self-employed activity.

(3) In the context of the activities of service and craft businesses, the distance requirement pursuant to § 3 para. 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 apply in enclosed rooms.

(4) In the case of rehabilitation sports and functional training as well as services that are provided for medical reasons but do not constitute medical treatment, the obligation to test pursuant to § 3 para. 5 sentence 1 applies to all persons involved. Providing body-related services is only permissible vis-à-vis persons who have been vaccinated, have recovered or are equivalent to

such persons, and vis-à-vis minors, even if they are not vaccinated, recovered or equivalent to such persons. The restriction of the group of persons according to sentence 1 does not apply to rehabilitation sport and functional training as well as to services which are provided for medical reasons. The following shall apply:

1. the distance requirement pursuant to § 3 para. 1 between customers,
2. the mask requirement pursuant to § 3 para. 2 sentence 2 with the exception of rehabilitation sports and functional training; the mask requirement does not apply if a mask cannot be worn due to the nature of the service; in these cases, the obligation to test pursuant to § 3 para. 5 sentence 1, shall apply; this also applies to persons vaccinated, recovered or equivalent to such persons,

(5) In health care facilities the mask requirement pursuant to § 3 para. 2 sentence 2 applies in waiting situations together with other persons.

(6) The provision of present sexual services is only permitted to persons vaccinated or recovered and in compliance with the hygiene concept for sexual services published on the website of the state government (www.corona.rlp.de). The following applies:

1. the obligation to test pursuant to § 3 para. 5; this also applies to vaccinated or recovered persons.
2. indoors when not providing sexual services, the mask requirement pursuant to § 3 para. 2 sentence 2; unless the hygiene concept for sexual services specifies otherwise, and
3. the obligation of the operator to draw up and display an individual protection and hygiene concept shall apply, which shall be submitted to the competent authority on request.

§ 9 Catering trade

(1) The operators of catering establishments have to maintain a hygiene concept. In enclosed rooms only persons vaccinated, recovered or equivalent to such persons and up to 25 minors, even if not vaccinated, recovered or equivalent to such persons, are allowed to be present as guests. It shall apply

1. to guests and staff, the mask requirement pursuant to § 3 para. 2 sentence 2; for guests, the mask is expendable directly at the seat, and
2. the obligation to test pursuant to § 3 para. 5 sentence 1; this also applies to vaccinated, recovered or equivalent persons of full age.

(2) In pick-up situations, only vaccinated, recovered or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons but have a test certificate

pursuant to § 3 para. 5 sentence 1 shall be present as customers. The mask requirement pursuant to § 3 para. 2 sentence 2 applies.

(3) Outdoor catering shall only be used by persons vaccinated, recovered or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons. Minors not vaccinated, recovered or equivalent persons require proof of testing pursuant to with § 3 para. 5 sentence 1. The mask requirement pursuant to § 3 para. 2 sentence 2 applies to guests and staff; for guests, the mask is not required directly at the seat.

(4) Notwithstanding paragraph 1 sentence 2 persons employed in or belonging to the establishment may be provided with food in canteens or refectories if they are vaccinated, recovered or equivalent persons or have proof of testing pursuant to § 3 para. 5 sentence 1. In school canteens, proof of testing is not required for students. Paragraph 1 sentence 3 No. 1 applies to the persons named in sentence 1. Paragraph 1 sentences 1 to 3 apply to the catering of external guests.

(5) Notwithstanding paragraph 1 sentence 2 and paragraph 3 professional drivers may be supplied in Autobahn service areas and at car stations if they are vaccinated or recovered or have a test certificate pursuant to § 3 para. 5, sentence 1. Otherwise, paragraph 1, sentence 3 shall apply.

§ 10

Hotel industry, accommodation establishments

(1) In all publicly accessible areas of accommodation establishments, the distance requirement pursuant to § 3 para. 1 and the mask requirement pursuant to § 3 para. 2 sentence 2 apply in enclosed rooms.

(2) In

1. hotels, hotel garni, guesthouses, inns, and similar facilities
2. hostels, recreation, holiday and training homes, holiday centers, and similar facilities

only vaccinated, recovered or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons are allowed to be present as guests. Upon arrival, the obligation to test pursuant to § 3 para. 5 sentence 1 shall apply; this also applies to persons of full age who have been vaccinated, have recovered or are equivalent to such persons. If proof of testing is required in accordance with sentence 2, a re-testing shall to be carried out every 72 hours, calculated from the time of the last test, in the case of stays lasting several days.

(3) The provisions in § 9 shall apply to gastronomic offers of the facility mutatis mutandis with the proviso that for guests of establishments referred to in paragraph 3, the obligation to test is determined in accordance with paragraph 3. For offers of sports and leisure activities, the use of a sauna, wellness and cosmetic offers as well as group offers of a recreational nature, the other provisions of this ordinance apply accordingly. with the proviso that for guests of facilities the obligation to test pursuant to paragraph 3 shall be determined in accordance with paragraph 3.

(4) The operator has to maintain a hygiene concept that ensures compliance with the requirements of paragraphs 1 to 4.

§ 11 Coach and ship travel

Only persons vaccinated, recovered or equivalent to such persons and up to 25 minors, even if not vaccinated, recovered or equivalent to such persons, are allowed to participate in coach or ship travel. At the start of the journey, the obligation to test pursuant to § 3 para. 5 sentence 1 shall apply; this shall also apply to adults who have been vaccinated, have recovered or are equivalent to such persons. If proof of testing is required in accordance with sentence 2, in the case of journeys lasting several days, a re-testing has to be carried out every 72 hours, calculated from the time of the last test. The obligation to test stipulated in sentence 2, half-sentence 2, for vaccinated or recovered adults does not apply if it is ensured that the mask requirement pursuant to § 3 para. 2 sentence 2 is complied with at all times. The provisions of § 9 shall apply accordingly to catering services. The provider have to have a hygiene concept in place that ensures compliance with the requirements of sentences 1 to 6.

Part 5 Sports and Leisure Time

§ 12 Sports

(1) In amateur and recreational sports, only vaccinated, recovered or equivalent persons and up to 25 minors, even if they are not vaccinated, recovered or equivalent persons, are allowed to be present in all public and private covered sports facilities (**indoor area**).

The limitation stipulated in sentence 1 does not apply to persons covered by the provisions in § 28 b para. 1 IfSG, provided that they do not pursue any honorary or do not engage in sports themselves. The obligation to test pursuant to § 3 para. 5 sentence 1 applies; this also applies to vaccinated, recovered or equivalent persons of full age.

(2) In amateur and recreational sports in all public and private uncovered sports facilities (**outdoor areas**), the contact limitation pursuant to § 4 para. 1 sentence 6 applies to adults. The limitation stipulated in sentence 1 does not apply to persons covered by the provisions in § 28 b para. 1 IfSG, provided that they do not pursue any honorary or do not engage in sports themselves.

(3) Indoors in swimming and fun pools, thermal baths, and saunas only persons vaccinated, recovered or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons are allowed to be present as visitor, whereby the maximum number of persons allowed on the premises of the respective facility at the same time is limited to half of the maximum number of visitors otherwise generally present there. The obligation to test pursuant to § 3 para. 5 sentence 1 applies; this shall also apply to vaccinated, recovered or

equivalent adults. A hygiene concept, which in particular also contains regulations on the use of changing rooms, showers and similar common areas concerning the permissible number of visitors, has to be kept in place. The control of the hygiene concepts is the responsibility of the responsible county administration, in county-free cities by the city administration as a county regulatory authority.

(4) When hosting events in amateur and leisure sports as well as in professional and top-class sports, spectators are permitted in accordance with § 5.

(5) Training and competition of professional and top-level sport is permitted outdoors and in public and private sports facilities, provided that a hygiene concept drawn up by the sports federations or league managers is available and complied with. Top-level and professional sport within the meaning of sentence 1 are practiced by:

1. Federal and State squad athletes in Olympic disciplines (Olympic squads, perspective squads, supplementary squads, junior squad 1, junior squad 2, state squads) as well as federal and State squad athletes in Paralympic disciplines (Paralympic squads, perspective squads, supplementary squads, team squads, junior squad 1, junior squads 2, State squads), Federal squad athletes in deaflympian sports (Deaflympicskader, expansion squad, junior squad) as well as federal and state squad athletes in non-Olympic sports (A-squad, B-squad, C-squad and D/C squad), which are recognized by the relevant federal or state federations.

2. teams of all Olympic and Paralympic sports of the 1st-3rd leagues as well as the regional league in men's football. In addition, professional teams in non-Olympic and non-Paralympic sports. Professional sport is the paid full-time activity of professional athletes in corporations or in the commercial enterprises of clubs.

3. teams of the highest leagues of the youth and junior age group U 17 or older as well as players of the Federal and State squads of the age groups U 15 and U 16, provided that the teams or players train at a young professionals performance center certified by the competent top professional association.

4. economically independent, club unaffiliated or association unaffiliated professional athletes without federal squad status, as well as

5. other athletes who have already qualified for the upcoming European and World Championships or who can qualify in 2020 or 2021.

§ 13

Leisure Time

(1) In amusement parks, outdoor climbing centers, minigolf and similar outdoor facilities only persons vaccinated, recovered or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons are allowed to be present as visitors, whereby the maximum number of persons allowed on the premises of the respective facility at the same time

is limited to half of the maximum number of visitors otherwise generally present there. The following apply

1. the mask requirement pursuant to § 3 para. 2 sentence 2 as far as the nature of the respective leisure activities allows; the mask requirement does not apply if food and beverages are consumed, or during one's own sporting activity,
2. the obligation to test pursuant to § 3 para. 5 sentence 1; this shall also apply indoors to vaccinated, recovered or equivalent adults.

The obligation to test for vaccinated or recovered adult persons stipulated in sentence 2 No. 3 half-sentence 2 does not apply if it is ensured that the mask requirement pursuant to sentence 2 No. 1 is consistently complied with.

(2) Only vaccinated, recovered, or equivalent persons are allowed to be present as visitors in gambling hall, casinos, betting agencies and similar facilities. The following applies:

1. the mask requirement pursuant to § 3 para. 2 sentence 2; for guests, the mask is expendable if a fixed place is taken or if food and beverages are consumed,
2. the obligation to test pursuant to § 3 para. 5 sentence 1; this shall also apply to vaccinated, recovered or equivalent adults.

The obligation to test for vaccinated or recovered adult persons stipulated in sentence 2 No. 3 half-sentence 2 does not apply if it is ensured that the mask requirement pursuant to sentence 2 No. 1 is consistently complied with.

(3) Only vaccinated, recovered, or equivalent persons and minors, even if they are not vaccinated, recovered or equivalent to such persons are allowed to be present as visitors at zoological gardens, zoos, botanical gardens and similar facilities. whereby the maximum number of persons allowed on the premises of the respective facility at the same time is limited to half of the maximum number of visitors otherwise generally present there. The following apply

1. the mask requirement pursuant to § 3 para. 2 sentence 2; the mask requirement does not apply if food and beverages are consumed,
2. the obligation to test pursuant to § 3 para. 5 sentence 1; this shall also apply indoors to vaccinated, recovered or equivalent adults.

The obligation to test for vaccinated or recovered adult persons stipulated in sentence 2 No. 3 half-sentence 2 does not apply if it is ensured that the mask requirement pursuant to sentence 2 No. 1 is consistently complied with.

Part 6

Education and Culture

§ 14

Schools, State study seminars for teaching posts

[not translated]

§ 15

Child day care facilities, Child day care

[not translated]

§ 16

Universities, extracurricular education, training and further education

(1) Participation in enclosed classroom teaching at universities requires proof of testing for students and teachers pursuant to § 3 para. 5 sentence 1 for those not within the scope of § 28b para. 1 IfSG, subject to the proviso that a test pursuant to § 2 No. 7 letter (a) SchAusnahmV is not permitted. The obligation to test pursuant to sentence 1 does not apply to vaccinated or recovered persons. Proof of testing has to be submitted upon request. In addition, the mask requirement pursuant to § 3 para. 2 sentence 2 applies in courses. Compliance with the provisions of sentences 1 to 4 shall be monitored on a random basis by means of suitable measures. In the case of research activities in enclosed rooms at universities and publicly funded non-university research institutions, the mask requirement pursuant to § 3 para. 2 sentence 2; the mask requirement is dispensed at the seat. Provisions of occupational health and safety remain unaffected, as far as relevant. The mask requirement pursuant to § 3 para. 2 sentence 2 can be deviated from if the research or teaching activity makes this necessary, especially if the subject field contains practical elements for which compliance with the distance requirement is not possible. Furthermore, the universities have to draw up hygiene concepts for their institutions, in which in particular any personal limitations and concrete protective measures are also defined outside the teaching or research activities.

(2) The following applies to educational programs offered in enclosed rooms in public or private institutions:

1. the mask requirement pursuant to § 3 para. 2 sentence 2,
2. the obligation to test pursuant to § 3 para. 5 sentence 1 for all participants and teachers, and

§ 12 shall apply mutatis mutandis to sports and exercise programs offered in public and private facilities outside of general education and vocational schools. The operator of the facility has to maintain a hygiene concept that ensures compliance with the requirements set forth in sentences 1 to 2.

(3) Paragraph 2 also apply to appropriate educational opportunities for individuals in enclosed rooms and to measures taken by service providers to provide employment integration benefits in accordance with Title Two of the Social Code or measures of active employment promotion

according to Title Three of the Social Code, in addition to labor market policy projects, supported by national funds or funds of European Social Fund.

(4) Offers of child and youth work, youth social work, and cultural pedagogic are permitted in compliance with the hygiene concept for facilities and services for child and youth work, youth social work, and cultural pedagogic, which is published on the website of the state government (www.corona.rlp.de). Indoors the mask requirement pursuant to § 3 para. 2 sentence 2 applies in general. For offers lasting several days with and without overnight stays, the obligation to test applies in accordance with the hygiene concept mentioned in sentence 1.

(5) Extracurricular music and art lessons are permitted indoors if attended exclusively by vaccinated, recovered or equivalent persons and up to 25 minors, even if they are not vaccinated or recovered or equivalent to such persons. The restriction of sentence 1 does not apply to persons covered by the provisions in § 28 b para. 1 IfSG, provided that they do not pursue any honorary activity. The following apply:

1. the mask requirement pursuant to § 3 para. 2 sentence 2. insofar as this is permitted by the nature of the

2. the obligation to test pursuant to § 3 para. 5 sentence 1: this also applies to vaccinated, recovered or equivalent adults.

The obligation to test for vaccinated or recovered adult persons stipulated in sentence 2 no. 2 half-sentence 2 does not apply if it is ensured that the mask requirement pursuant to sentence 2 no. 1 is complied with at all times.

§ 17 Culture

(1) § 5 applies to the operation of public and commercial cultural institutions, in particular

1. cinemas, theaters, concert halls, cabarets, and similar facilities
2. circuses and similar facilities.

(2) The rehearsal and performance of grassroots and amateur culture is permitted indoors if attended exclusively by vaccinated, recovered or equivalent persons and up to 25 minors, even if they are neither vaccinated nor recovered. The restriction of sentence 1 does not apply to persons covered by the provisions in § 28 b para. 1 IfSG, provided that they do not pursue any honorary activity. The following apply:

1. the mask requirement pursuant to § 3 para. 2 sentence 2 applies insofar as the nature of the activity permits,

2. the obligation to test pursuant to § 3 para. 5 sentence 1; it also applies to vaccinated, recovered, or equivalent adults

The obligation to test for vaccinated or recovered adult persons stipulated in sentence 2 No. 2 half-sentence 2 shall not apply if it is ensured that the mask requirement pursuant to sentence 2 No. 1 is complied with at all times.

(3) At performances of the grassroots and amateur culture spectators are permitted in compliance with § 5

(4) In museums, exhibitions, memorials and similar facilities only vaccinated, recovered or equivalent persons and minors, even if they are neither vaccinated nor recovered are allowed to be present as visitors. The following apply:

1. the mask requirement pursuant to § 3 para. 2 sentence 2; the mask requirement does not apply if food and beverages are consumed, and

2. the obligation to test pursuant to § 3 para. 5 sentence 1; this also applies to vaccinated, recovered or equivalent adults.

The obligation to test for vaccinated, recovered or equivalent adult persons stipulated in sentence 2 no. 2 half-sentence 2 does not apply if it is ensured that the mask requirement pursuant to sentence 2 no. 1 is complied with at all times.

Part 7 Hospitals and similar Institutions

§ 18

Visiting and access arrangements for special institutions

[not translated]

§ 19

Hospitals

[not translated]

§ 20

Registration of treatment capacities

[not translated]

Part 8 Reception centers for asylum seekers, exemptions from the obligation to isolate and group-related measures

§ 21

State reception centers for asylum seekers

[not translated]

§ 22

Exceptions from the obligation to isolate entry-ins and from the obligation to provide proof.

(1) Requests for exemption from the obligation to isolate pursuant to § 6 para. 2 sentence 1 No. 2 of the Corona Entry Ordinance are deemed to have been submitted and approved

1. for persons who have been in a risk area for less than 72 hours,
2. for persons who live in a common household with the persons designated in § 6 para. 1 sentence 1 Nos. 3, 4, 7, 10 and 11 of the Corona Entry Ordinance and who enter together with them
3. for persons who are not cross-border commuters pursuant to § 2 No. 11 lit. a Corona Entry Ordinance only because they do not return to their place of residence at least once a week, but otherwise meet the conditions specified therein and transport persons, goods or merchandise by land, water, or air across borders for professional reasons.

Applications for exemption from the obligation under § 4 para. 2 sentence 3 half-sentence 1 Corona Entry Ordinance, according to which in the case of the transmission of a test proof the underlying test has to have taken place at the earliest five days after entry, are deemed submitted and approved for persons who live in a common household with the persons named in § 6 para. 2 sentence 1 No. 1 lit. a to c Corona Entry Ordinance and enter together with them.

(2) Applications for exemption from the obligation to provide proof pursuant to § 6 para. 3 No. 1 letter b Corona Entry Ordinance shall be deemed to have been submitted and approved for persons who have been for less than 72 hours in an area outside the Federal Republic of Germany.

(3) Paragraphs 1 and 2 do not apply to persons who have been in an area classified as a virus variant area pursuant to § 2 No. 3a of the Corona Entry Ordinance at any time in the 10 days prior to entry.

§ 23

Group-related Measures

In the case of special group-related work and accommodation situations, in particular seasonal workers who work and live in groups or who travel for the purpose of taking up an activity in a group, the employer has to notify the competent authority before work commences. The employer shall take and document special occupational hygiene measures and arrangements for contact avoidance outside the working group based on the relevant technical standards, in particular in accordance with the competent professional association. The competent authority

shall verify compliance. Rooms shall only be occupied with a maximum of half the usual occupancy capacity; this restriction does not apply to families and vaccinated, recovered or equivalent persons.

Part 9 General Decrees

§ 24 General Decrees

(1) General Orders of the county administrations, in district-free cities of the city administration as county regulatory authorities for the control of the Coronavirus SARS-CoV-2 in accordance with the Infection Prevention and Control Act are to be issued in agreement with the competent Ministry dealing with health matters. If the general decrees pursuant to sentence 1 also contain provisions concerning schools or day-care centers, these shall be agreed in advance with the competent supervisory authorities.

(2) Paragraph 1 does not apply to

1. general orders which regulate the local and temporal scope of a mask requirement and
2. general orders according to § 15 para. 2 sentence 1.

Part 10 Administrative Fines, Entering into Force, Expiration

§ 25 Administrative offences

An administrative offence within the meaning of § 73 para. 1 (a) No. 24 of the Infection Prevention and Control Act (IfSG) is committed by anyone who intentionally or negligently

[No. 1 to 101. - not translated]

§ 74 IfSG [Infection Prevention and Control Act] remains unaffected.

§ 26 Entry into force, expiration

(1) This Ordinance shall enter into force on 31 January 2022 shall expire at the end of 28 February 2022.

(2) The Twenty-ninth Corona Control Ordinance Rhineland-Palatinate of 3 December 2021 (State Law/Regulations Gazette page 616), as amended by Ordinance of 13 January 2022 (State Law/Regulations Gazette page 9, BS 2126-13) shall expire at the end of 30 January 2022.

Done at Mainz on 28 January 2022

Clemens Hoch
The Minister for Science and Health